

ALLY FINANCIAL INC., RESIDENTIAL	§	
CAPITAL, LLC, and GMAC MORTGAGE	§	
LLC.,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
V.	§	CASE NO. 4:12cv600
	§	Judge Clark/Judge Mazzant
PHILLIP ROGER FLINN, II, RALPH	§	
“RUSTY” CAVES, JOHN W. SANDSTROM	§	
ELECTRICAL COMPANY,	§	
	§	
<i>Defendants.</i>	§	

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 7, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Caves' Amended Fed. R. Civ. P. 12 Motion to Dismiss [Doc. #39] be denied at this time.

It is, therefore, **ORDERED** that Defendant Caves' Amended Fed. R. Civ. P. 12 Motion to

Dismiss [Doc. #39] is **DENIED** at this time.

So **ORDERED** and **SIGNED** on February 17, 2013.

A handwritten signature in black ink, reading "Ron Clark". The signature is written in a cursive, slightly stylized font. The "R" is large and loops around the "o". The "C" is also large and loops around the "l". The "k" is written with a long, sweeping tail that extends to the right.

Ron Clark
United States District Judge